

“(C) AUTHORITY TO EXTEND PERIOD OF NON-APPLICABILITY.—The Secretary may extend the period of nonapplicability under subparagraph (B)(ii) for not longer than 1 year if, by not later than July 2, 2007, the Secretary publishes in the Federal Register a notice of the extension.”.

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of the following postal-naming bills en bloc: S. 1726, S. 3845, H.R. 4109, H.R. 4805, H.R. 4674, H.R. 4768, H.R. 5428, H.R. 5434, H.R. 5054, H.R. 5664, and H.R. 6033 and the Senate proceed to their immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the bills en bloc.

COACH EDDIE ROBINS POST OFFICE

The bill (S. 1726), to designate the facility of the United States Postal Service located at 324 Main Street in Grambling, Louisiana, shall be known and designated as the “Coach Eddie Robinson Post Office Building” was considered; ordered to a third reading, read the third time, and passed, as follows:

S. 1726

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COACH EDDIE ROBINSON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 324 Main Street in Grambling, Louisiana, shall be known and designated as the “Coach Eddie Robinson Post Office Building”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Coach Eddie Robinson Post Office Building”.

MICKEY MANTLE POST OFFICE BUILDING

The bill (S. 3845), to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the “Mickey Mantle Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

UNITED STATES REPRESENTATIVE PARREN J. MITCHELL POST OFFICE

A bill (H.R. 4109) to designate the facility of the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the “United States Representative Parren J. Mitchell Post Office” was considered, ordered to a third reading, read the third time, and passed.

GENE VANCE POST OFFICE BUILDING

A bill (H.R. 4805) to designate the facility of the United States Postal Service

located at 105 North Quincy Street in Clinton, Illinois, as the “Gene Vance Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

GOVERNOR JOHN ANDERSON, JR. POST OFFICE BUILDING

A bill (H.R. 4674) to designate the facility of the United States Postal Service located at 110 North Chestnut Street in Olathe, Kansas, as the “Governor John Anderson, Jr. Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

ROBERT LINN MEMORIAL POST OFFICE BUILDING

The bill (H.R. 4768) to designate the facility of the United States Postal Service located at 777 Corporation Street in Beaver, Pennsylvania, as the “Robert Linn Memorial Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

JOSHUA A. TERANDO MORRISON POST OFFICE BUILDING

The bill (H.R. 5428) to designate the facility of the United States Postal Service located at 202 East Washington Street in Morris, Illinois, as the “Joshua A. Terando Morris Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

LARRY COX POST OFFICE

A bill (H.R. 5434) to designate the facility of the United States Postal Service located at 40 South Walnut Street in Chillicothe, Ohio, as the “Larry Cox Post Office” was considered, ordered to a third reading, read the third time, and passed.

LARRY WINN, JR. POST OFFICE BUILDING

The bill (H.R. 5504) to designate the facility of the United States Postal Service located at 6029 Broadmoor Street in Mission, Kansas, as the “Larry Winn, Jr. Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

JACOB SAMUEL FLETCHER POST OFFICE BUILDING

A bill (H.R. 5564) to designate the facility of the United States Postal Service located at 110 Cooper Street in Babylon, New York, as the “Jacob Samuel Fletcher Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

THOMAS J. MANTON POST OFFICE BUILDING

A bill (H.R. 6603) to designate the facility of the United States Postal Service

located at 39-25 61st Street in Woodside, New York, as the “Thomas J. Manton Post Office Building” was considered, ordered to a third reading, read the third time, and passed.

THE CALENDAR

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate en bloc consideration of H.R. 6075, H.R. 5224, and H.R. 5929, postal naming bills which were received from the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I ask unanimous consent the bills be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

ROBERT J. THOMPSON POST OFFICE BUILDING

The bill (H.R. 6075) to designate the facility of the United States Postal Service located at 101 East Gay Street in West Chester, Pennsylvania, as the “Robert J. Thompson Post Office Building”, was considered, ordered to a third reading, read the third time, and passed.

CURT GOWDY POST OFFICE BUILDING

The bill (H.R. 5224) to designate the facility of the United States Postal Service located at 350 Uinta Drive in Green River, Wyoming, as the “Curt Gowdy Post Office Building”, was considered ordered to a third reading, read the third time, and passed.

KATHERINE DUNHAM POST OFFICE BUILDING

A bill (H.R. 5929) to designate the facility of the United States Postal Service located at 950 Missouri Avenue in East St. Louis, Illinois, as the “Katherine Dunham Post Office Building”, was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

NOMINATION OF ANDREW B. STEINBERG TO BE AN ASSISTANT SECRETARY OF TRANSPORTATION

Mr. FRIST. Mr. President, I ask unanimous consent the Senate immediately proceed to executive session to consider the following nomination on today's Executive Calendar: 769.

I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the

table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF TRANSPORTATION

Andrew B. Steinberg, of Maryland, to be an Assistant Secretary of Transportation.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will return to legislative session.

Mr. FRIST. Mr. President, we have completed a lot of business. We may have a little more business in a bit. While we are conducting that business, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. FRIST. Mr. President, in the early hours of the morning, we are going to be closing down here in a few minutes. We do have some very important business to conduct, first on the Defense authorization conference report, and closing up with a few other matters.

It has been a long day, with a lot of productive work. The Democratic leader and I were just commenting it has been a constructive and productive last 2 or 3 weeks.

Mr. President, before I propound a unanimous consent request on the Defense authorization conference report, I turn to my colleague, the distinguished Senator from Oklahoma, who has been intimately involved in this issue over the last several days and the last several hours.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the leader for working with me on getting the requirements of what we need to do to get control of our spending in this country. I also want to thank the House leadership for their commitment in attempting to do that.

I had threatened to object to the unanimous consent request that we pass this bill. That is not a desire or something I want to do. But what I do want to do is make sure the money we spend actually goes for Defense. And we had, in both the appropriations bill and in the authorization bill, by a vote of 96 to 1 in this body, that even though we do not report earmarks in the Senate, we do not label them, we do not say who put them, we did have an agreement—with amendments in both those bills—that we will allow the Pen-

tagon to report to the American public on the status of those earmarks and back to us as a Congress whether or not they met the mission of the Defense Department because about 40 percent of them do not. It is all about transparency, the American people seeing where we are spending our money.

I appreciate the leaders both here and in the House agreeing to bring this amendment—which was offered and accepted and passed here; and what was thrown out of the conferences—up in the lame-duck session. And given that commitment from both the House leadership and the Senate leadership, I will not object to this bill.

I will tell people, other than the earmarks that are in this bill, this is a needed bill, and a lot of the earmarks are appropriate and needed. But the American people ought to be seeing where we are spending the money, and they cannot. This amendment would have allowed them to see that.

The agreement of, hopefully, bringing this back, so the American people can actually know where money is spent, I appreciate the leader's help in accomplishing that.

I yield the floor.

Mr. FRIST. Mr. President, it looks like we will be able to proceed with our unanimous consent request and pass a very, very important bill to this country. We passed earlier today the appropriations for our Department of Defense. And with this, on the same day, we will be able to pass the authorization bill.

JOHN WARNER NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007—CONFERENCE REPORT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of the conference report to accompany H.R. 5122, the Defense authorization bill, and the conference report be agreed to, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Mr. President, reserving the right to object, I want the RECORD to reflect the hard work that has gone into this bill by the managers of the bill, the chairman, Senator WARNER, and the ranking member, Senator LEVIN. There are no two finer Senators in the Senate. They have worked so diligently and so hard on this legislation for which they deserve so much credit for getting us to where we are. They are both dedicated to the service of their country. They are just two of the best, and if not for them we could not be where we are.

I also express my appreciation to Senator COBURN for allowing us to move forward on this legislation this morning.

The PRESIDING OFFICER. Is there objection?

Mr. REID. No.

The PRESIDING OFFICER. Without objection, it is so ordered.

INSURRECTION ACT

Mr. KENNEDY. Mr. President, I want to applaud the Senator from Virginia for his amendment in the Defense authorization bill. This amendment clarifies the President's authority to employ the Armed Forces inside the United States to restore public order when domestic violence has occurred to such an extent that the State authorities are not able to enforce the laws and protect the legal rights of its people.

Late August last year, New Orleans and gulf coast residents saw the devastation nature can sow. We are now in another hurricane season. Communicable diseases like SARS and avian flu are still real risks. No one needs reminding that bin Laden and al-Qaida are still out there. We need to clarify the applicability of this law to modern problems.

This is a task that uniquely belongs to Congress. It is Congress's responsibility, according to the Constitution, to make rules "for the government and regulation" of the Armed Forces. Senator Warner's provision takes a real step in the right direction.

Mr. WARNER. Mr. President, I'm glad Senator KENNEDY drew attention to my amendment to the Militia Acts, sometimes referred to as the "Insurrection Act." These statutes have not been amended for a half century. We urgently need a statute that clarifies when and how the President can use the Armed Forces in the homeland.

This is not a new problem. The Second Congress passed a law in May 1792 giving the President power to call out the Armed Forces inside the United States. Congress carefully defined when the President could act. In certain cases, he had to get a judge's approval before calling forth the troops. When President Washington put down the Whiskey Rebellion, he used this 1792 statute.

Congress made changes to this authorization in 1795, 1807, 1861 and 1871. Clearly, Congress was responding to threats of the day. These included Aaron Burr's conspiracy, the Civil War, and Reconstruction. The end result of all these amendments was a very sweeping statute with open-ended authorization in some situations, but ambiguous authority to use the Armed Forces in others. So we clearly needed to revisit this.

Mr. KENNEDY. As I understand the amendment, it defines when the President can call on the Armed Forces if there is a major public emergency at home. The amended statute now lists specific situations in which the troops can be used to restore public order. This includes natural disasters, epidemics or other serious public health emergencies, and terrorist attacks or incidents that result in domestic violence to such an extent that